

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MARINA CALOVE,

Plaintiff,

VS.

NATIONSTAR MORTGAGE, LLC,

Defendant.

Case No.: 2:14-cv-1329-JAD-NJK

**Order Denying Motion to Vacate  
(Doc. 19)**

On October 17, 2014, I granted defendant Nationstar’s motion to set aside the clerk’s entry of default issued against it about a month earlier.<sup>1</sup> I found that there was good cause under Rule 55: having simply misunderstood when its answer to the complaint would be due, Nationstar had not engaged in any “culpable conduct”; nor, I concluded, would reopening the case, which was still in its infancy, cause any prejudice; and most importantly, Nationstar had several meritorious defenses to assert.<sup>2</sup>

Plaintiff Marina Calove, who is proceeding pro se, now requests that I vacate my order.<sup>3</sup> But she does not offer any argument or legal authority that might suggest I improperly used my discretion in that order to set aside the default against Nationstar. Nor does she address the high standard she must meet to be granted the “extraordinary remedy”<sup>4</sup> of reconsideration. Only three bases exist for reconsideration: newly discovered evidence, clear error, and an intervening change in the controlling

<sup>1</sup> See Docs. 8, 17.

<sup>2</sup> See Doc. 17 (applying the three factors consider when determining good cause under Rule 55); see also *Falk v. Allen*, 739 F.2d 461 (9th Cir. 1984) (identifying the three factors courts should consider when determining good cause under Rule 55).

<sup>3</sup> See Doc. 19.

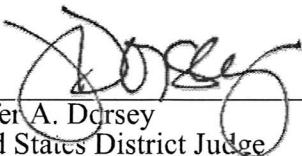
<sup>4</sup> *Carroll v. Nakatani*, 342 F.2d 713, 715 (9th Cir. 2003).

1 law.<sup>5</sup> Calove identifies none of these. I therefore deny her motion to vacate.

2 **Conclusion**

3 Accordingly, IT IS HEREBY ORDERED that Marina Calove's Motion to Vacate (Doc. 19)  
4 is **DENIED**.

5 DATED June 26, 2015

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7 Jennifer A. Dcrsey  
8 United States District Judge

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28 <sup>5</sup> *389 Orange Street Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999).